

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Anthony LaFauci

v.

Civil No. 09-cv-454-PB

William Wrenn, Commissioner,
New Hampshire State Prison, et al.

O R D E R

A pretrial conference was held in this case on today's date.

Anthony LaFauci did not appear; Attorney Lynmarie Cusack appeared on behalf of the defendants. The record reflects that Mr. LaFauci was given notice of this hearing. Ms. Cusack states that her office has mailed two recent letters (one dated August 16 and the other August 28) to Mr. LaFauci concerning her proposed discovery plan (Doc. No. 10). Ms. Cusack indicates that Mr. LaFauci has not responded to her letters.

At the hearing, the court indicated that it would accept Doc. No. 10 with the following modifications:

Trial: Two week period beginning July 6, 2011.

Motions to Dismiss: Due on or before November 15, 2010.

Summary Judgment Motions: Due on or before March 11, 2011.

Ms. Cusack has no objection to the court's modifications.
The court approves Doc. No. 10 as modified.

As a result of Mr. LaFauci's failure to appear, Ms. Cusack made an oral motion for default, or, in the alternative, for this court to order Mr. LaFauci to show cause why his case should not be dismissed for failure to prosecute. The court requested that Ms. Cusack file a pleading regarding same so that Mr. LaFauci will have an opportunity to respond thereto.

SO ORDERED.



Landya B. McCafferty
United States Magistrate Judge

Dated: September 15, 2010

cc: Anthony LaFauci, pro se
Lynmarie C. Cusack, Esq.